

ENTERED

September 30, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JOSHUA RAY YEOMANS,

Plaintiff,

V.

STATE OF TEXAS, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:23-CV-00173

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

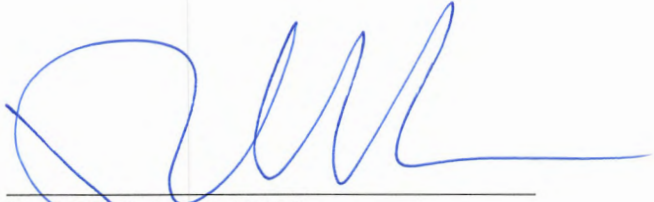
Before the Court is Magistrate Judge Julie Hampton's Memorandum and Recommendation ("M&R"). (D.E. 35). The M&R recommends that the Court grant the Motions to Dismiss filed by Judge Janna Whatley (Judge Whatley), (D.E. 26), and District Clerk Heather Marks (Clerk Marks), (D.E. 28). (D.E. 35, p. 14). Plaintiff has not filed objections to this M&R. However, Plaintiff has filed a Motion for Sanctions, (D.E. 57), and a Motion for Contempt of Court, (D.E. 58), where Defendant says he did not receive a copy of the motions to dismiss. The Court does not consider these motions as objections to the M&R. The Court will instead address these filings in a separate order.

When a party objects to the findings and recommendations of a magistrate judge, the district judge "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). As to any portion for which no objection is filed, a district court reviews for clearly erroneous factual findings and conclusions of law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (*per curiam*).

Having reviewed the proposed findings and conclusions of the M&R, the record, the applicable law, the Court **ADOPTS** the findings and conclusions of the M&R. (D.E. 35).

Accordingly, the Court **GRANTS** the pending motions to dismiss. (D.E. 26; D.E. 28). Finally, the Court **DIRECTS** the Clerk of Court to send a copy of this Order, the most recent M&R, (D.E. 35), the motions to dismiss, (D.E. 26; D.E. 28), and a copy of the docket sheet to Plaintiff at his most up to date address.

SO ORDERED.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Signed: Corpus Christi, Texas
September 30th, 2024